

WASHINGTON STATE
EXECUTIVE ETHICS BOARD
2425 Bristol Court SW – 1st Floor Conference Room 148 – Olympia, WA

May 12, 2006
Regular Meeting Minutes

A. Preliminary Business

1. Roll Call

The regular meeting of the Washington State Executive Ethics Board (EEB) was called to order by Chair Trish Akana at 9:05 a.m. Also present were Members Paul Zellinsky, Judy Golberg and Neil Gorrell. Vice Chair Evelyn Yenson was present via telephone. Board staff in attendance included: Executive Director Susan Harris, Senior Assistant Attorney General Linda Moran, Assistant Attorney General Mike Tribble, Administrative Officer Ruthann Bryant and Investigators Nancy Lewin and Sue Jones.

2. Approval of Agenda

Motion 06-028 Moved by Member Golberg, seconded by Member Zellinsky:

The Board approves the May 12, 2006 agenda.

The motion passed unanimously.

3. Approval of April 14, 2006 Minutes

Member Golberg requested that the word “hybrid” be removed from page 2, second paragraph.

Motion 06-029 Moved by Member Golberg, seconded by Member Gorrell:

The Board approves the April 14, 2006 minutes as amended.

The motion passed unanimously.

B. Advisory Opinion Request

Continuation of Discussion – Electric Car Issue

As a follow up to a discussion at the April 14, 2006, Ms. Harris briefly summarized the request by a Department of Transportation employee to plug in his electric vehicle used to commute to and from work. She also discussed relevant statutes, RCW 43.01.230 and RCW 70.94.521, which allows state funds

to be used for employee incentives if alternative commute modes are used, and if the assistance is part of the agency's Commute Trip Reduction Plan. She also outlined options available to the Board for consideration.

Chair Akana noted that the statute is clear and confirmed that it provides the authority so long as it is within the agency's Commute Trip Reduction Plan.

Department of Transportation's (DOT) facilities coordinator, Michele Brady, reported that the electric car issue has been added to DOT's Commute Trip Reduction plan and the draft plan has been approved at the executive level. Final approval is expected within 30 days.

The Board requested staff to draft an FAQ for approval at the next meeting.

C. Policy Reviews

Ms. Harris provided a draft policy submitted by WA State Parks and Recreation Commission regarding Employee Conduct and Ethics. Ethics Advisor, Melanie Watness stated that the policy has been updated to provide more comprehensive information.

Chair Akana suggested adding information regarding RCW 42.52.080 Employment after Public Service. She requested including information regarding WAC 292-110-010(8), to clarify that a violation of agency policy does not necessarily constitute a violation of the Ethics Law.

Motion 06-030 Moved by Member Golberg, seconded by Member Gorrell:

The Board approves Washington State Parks and Recreation Commission policy on Employee Conduct and Ethics as presented.

The motion passed unanimously.

Chair Akana asked that the amended policy, referencing the WAC, be brought back at a future meeting.

Ms. Harris also discussed a draft policy, also submitted by WA State Parks and Recreation Commission, regarding Park Housing. She noted that a prior policy was approved by the Board in September 2005, however the issue of storage for individuals residing in park housing has been added. Melanie Watness and Steve Brand summarized the types of housing and issues of inadequate storage facilities.

Motion 06-031 Moved by Member Zellinsky, seconded by Member Gorrell:

The Board approves Washington State Parks and Recreation Commission policy on Park Housing as presented.

The motion passed unanimously.

Ms. Harris presented a draft policy submitted by the Department of General Administration regarding Internet and Electronic Message Systems (E-Mail) Use. Sam Schofield, Internal Auditor and Ethics Advisor stated that the policy was rewritten to provide additional explanations and examples on ethical matters and incorporates changes resulting from new legislation.

Motion 06-032 Moved by Member Gorrell, seconded by Member Golberg:

The Board approves the Department of General Administration policy on Internet and Electronic Message Systems (E-Mail) Use as presented.

The motion passed unanimously.

Ms. Harris also presented a draft policy submitted by the Department of Veterans Affairs regarding Use of State Resources. Heidi Audette noted that the updated policy added information regarding de minimis use.

Motion 06-033 Moved by Member Golberg, seconded by Member Gorrell:

The Board approves Washington State Department of Veterans Affairs policy on Use of Resources as presented.

The motion passed unanimously.

D. Staff Reports

1. Executive Director's Report

Susan Harris discussed the Attorney General Management Accountability Program (AGMAP) and measurable issues for effectiveness such as tracking complaints. She also summarized training conducted over the prior month.

Ms. Harris reported on preparations for the July retreat and priority items for discussion. She provided a draft violation tracking flowchart for Board member comment. The flowchart will be reviewed at the retreat.

2. Other Staff Reports

Assistant Attorney General Mike Tribble provided an update on further discussions with the State Auditor's Office regarding investigations of Whistleblower complaints.

Ruthann Bryant briefly discussed changes to the Board's website and preparations for the 2006 WA State Ethics Conference scheduled for June 15th.

E. Public Comment/Board Member Comments

No public or board member comments were presented.

F. Executive or Closed Session

At 10:45 a.m. the Board moved into Closed Session to discuss potential litigation and deliberate and to receive and evaluate complaints against state employees and officers. At 12:04 p.m. the Board returned to regular session.

G. Miscellaneous Matters/Adjournment

There being no miscellaneous matters, the meeting was adjourned at 12:05 p.m.

Approved by the Board 07/13/06